

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
Western Roto Engravers, Inc.)	FINDING OF VIOLATION
533 Banner Ave.)	
Greensboro, NC 27401)	EPA-5-99-OH-33
)	
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
_____)	

Finding of Violation

The United States Environmental Protection Agency finds that Western Roto Engravers, Inc. is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, Western Roto Engravers, Inc. is violating the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks (Chrome Plating NESHAP), at 40 C.F.R. § 63.340-347, at its WRE/ColorTech branch facility in Wadsworth, Ohio as follows:

Regulatory Authority

- 1) U.S. EPA promulgated the Chrome Plating NESHAP on January 25, 1995 pursuant to its authority under Section 112 of the Clean Air Act, 42 U.S.C. § 7412. The Chrome Plating NESHAP is at 40 C.F.R. § 63.340-347.
- 2) 40 C.F.R. § 63.343(d) requires an owner or operator of a source subject to the Chrome Plating NESHAP who uses an air pollution control device not listed in 40 C.F.R. § 63.343(c) to submit certain information and documentation to U.S. EPA. Specifically, the owner or operator must submit a description of the device, test results collected in accordance with Section 63.344(c) verifying the performance of the device for reducing chromium emissions to the atmosphere to the level required by the Chrome Plating NESHAP, a copy of its operation and maintenance plan, and appropriate operating parameters the source plans to monitor to establish continuous compliance with the standards. This

monitoring plan is subject to the Administrator's approval.

- 3) With limited exceptions, 40 C.F.R. § 63.343(b) requires owners and operators of sources subject to the Chrome Plating NESHAP to conduct an initial performance test as required under 40 C.F.R. § 63.7.
- 4) 40 C.F.R. § 63.344(c) requires an owner or operator subject to the Chrome Plating NESHAP to use the test methods identified in that section to conduct its initial performance test. Two of these methods, Method 306 and 306(a), require a minimum sampling time for each run of 120 minutes, and require that the sample volume be at least 1.70 dscm (60 dcsf).
- 5) 40 C.F.R. § 63.347(e)(3) provides that sources required by 40 C.F.R. § 62.343(b) to conduct a performance test must submit to U.S. EPA a notification of compliance status no later than 90 calendar days following completion of the initial performance test.
- 6) Section 112(i)(3)(A) of the Clean Air Act prohibits any person from operating a source in violation of any emissions standard, limitation, or regulation promulgated under Section 112. 42 U.S.C. § 7412(i)(3)(A). Because U.S. EPA promulgated the Chrome Plating NESHAP under its Section 112 authority, a violation of the Chrome Plating NESHAP is a violation of Section 112(i)(3)(A) of the Clean Air Act.

WRE/ColorTech Facility

- 7) Western Roto Engravers, Inc. has its corporate headquarters at 533 Banner Ave, Greensboro, NC.
- 8) Western Roto Engravers, Inc. owns and operates two hard chromium electroplating tanks at its WRE/ColorTech branch facility located at 668 Seville Road, Wadsworth, Ohio.
- 9) The two hard chromium electroplating tanks at the WRE/ColorTech facility are subject to the Chrome Plating NESHAP at 40 C.F.R. § 63.340-347. WRE/ColorTech was required to comply with emission limits set forth in §63.342 no later than January 25, 1997.

Violations

- 10) The Akron Regional Air Quality Management District inspected the WRE/ColorTech facility on November 9, 1998. At that time, WRE/ColorTech was using an air pollution control

device not listed in 40 C.F.R. § 63.343(c), but had not submitted to U.S. EPA either a description of the control device, or a complete operation and maintenance plan indicating appropriate operating parameters to be monitored. WRE/ColorTech Inc. did not submit to U.S. EPA a description of the control device until February 9, 1999. WRE/ColorTech Inc. did not submit a complete operation and maintenance plan indicating appropriate operating parameters to be monitored until June 28, 1999. WRE/ColorTech's failure to submit an operation and maintenance plan, indicating appropriate operating parameters to be monitored violates 40 C.F.R. § 63.343(d) and Section 112(i)(3)(A) of the Clean Air Act, 42 U.S.C. § 7412(i)(3)(A).

- 11) WRE/ColorTech conducted its initial performance test on October 16, 1996. WRE/ColorTech failed to comply with the sampling time and volume requirements specified at 40 C.F.R. § 63.344(c)(1) for Method 306A. WRE/ColorTech conducted three test runs but each run only lasted for one hour. The sample volumes for runs 1, 2, and 3 were only 40.97, 52.44, and 50.31 dscf respectively. WRE/ColorTech's failure to comply with the sampling time and volume requirements specified at 40 C.F.R. § 63.344(c)(1) for Method 306A violates 40 C.F.R. § 63.344(c) and Section 112(i)(3)(A) of the Clean Air Act, 42 U.S.C. § 7412(i)(3)(A).
- 12) Because WRE/ColorTech completed its initial performance test on October 16, 1996, it should have submitted its notification of compliance no later than January 14, 1997. WRE/ColorTech Inc. did not submit its notification of compliance until February 9, 1999. WRE/ColorTech's failure to submit a notification of compliance within 90 days of completing its initial performance test violates 40 C.F.R. § 63.347(e) and Section 112(i)(3)(A) of the Clean Air Act, 42 U.S.C. § 7412(i)(3)(A).

6/30/99
Date


Margaret M. Guerriero, Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation by Certified Mail, Return Receipt Requested, to:

Larry Long, Environmental Coordinator
Western Roto Engravers, Inc.
533 Banner Avenue
Greensboro, NC 27401

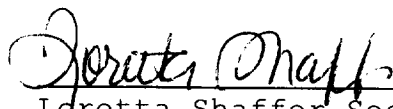
I also certify that I sent copies of the Finding of Violation by first class mail to:

Russ Ellebruch, Vice President
WRE/ColorTech, Inc.
668 Seville Road
Wadsworth, OH 44281

Robert Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio, 43216-1049

Sean Vadas, Air Quality Engineer
Akron Regional Air Quality Management District
146 S. High Street, Room 904
Akron, OH 44308

on the 30th day of JUNE, 1999.


Loretta Shaffer, Secretary
AECAS, (MN/OH)

CERTIFIED MAIL RECEIPT NUMBER: P 140 777 317

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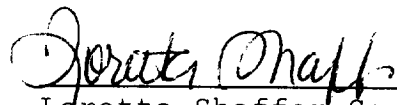
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